REMARKS

Applicants respectfully traverse and request reconsideration.

As a preliminary matter, Applicants respectfully request that the finality status of the Office Action be withdrawn since the Office Action does not address Applicant's new claim 10 that was added in Applicant's previous response. As such, Applicants are not able to address any Patent Office's position with respect to this claim as it does not appear to have been examined.

Applicants also wish to thank the Examiner for the Notice that claims 2 and 8 would be allowable if written in independent form including all of the limitations of the base claim and any intervening claims and for the courtesies extended during the telephone conference of October 29, 2004.

Claims 1, 3-7 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Newlin in view of Bellemore as set forth in the prior rejection. Applicant respectfully reassert their remarks from their previous response. Also, in the "Response to Argument" section of the Office Action, the Office Action cites in col 4, lines 1-27 of Newlin as allegedly teaching a plurality of user agent programs configured for different concurrent modality communication during a session. However, the cited portion merely states that a system alert may be provided through a user audio interface 135 when a communication from a second network is being received. The alert may also be a video caller identification displayed on a video display. As such, it appears that the user interface is being equated to the plurality of user agent programs claimed. However, there is a single user interface as shown and moreover, this user interface is not configured for different concurrent modality communications during a session as required by the claim. Moreover, the Office Actions interpretation of Newlin would require that Newlin maintains the session status of the user interface during nonsession conditions. However, no such maintenance of status information of the user interface is taught or suggested in Newlin. In addition, as noted above,

Newlin does not teach the concurrent multimodal or session status information of user agent programs wherein those user agent programs are configured for different concurrent modality communications during a single session. Accordingly, the claim is in condition for allowance.

In addition, the Office Action attempts to equate a nonactive communication session of Newlin to the alleged claimed "nonsession multimodal communication." Applicants respectfully submit that this claim language is not used in claim 1. Instead, the claim requires maintaining, during nonsession conditions on a per user basis, the maintenance of a plurality of user agent programs' session status wherein those user agent programs are configured for different concurrent modality communication during the single session. The cited portion of Newlin in col. 5, lines 45-67 merely seems to teach that a video call or voice call be put on hold when another call is coming in. Applicants again respectfully request, if the rejections are maintained, identification of the specific element or elements within Newlin that are alleged to be the claimed plurality of user agent programs and their corresponding multimodal session status information wherein the plurality of user agent programs are configured for different concurrent modality communications during a session. Moreover, the claim requires reestablishing a concurrent multimodal session response to accessing the kind of current multimodals session status information which is noted above does not appear to be taught or suggested in the cited reference. The Newlin reference does not teach concurrent multimodal communication for user agent programs since there is no indication of what the user agent program is that is being configured.

Claim 10 is also allowable since this claim requires that the user agent programs are configured for concurrent input modality communications during the same session. Newlin does not teach, for example, two user agent programs that are configured for concurrent input modality communications, such as an input by voice and other input by text during the same session. To the contrary it appears to teach either one of the two receiver or send or operates in a video

teleconference mode but the video interface doesn't receive input at the same time transmission is made by the same party. Accordingly, this claims is also in condition for allowance.

Moreover, Newlin has been cited for teaching everything of Applicants' claim except "maintaining inactive sessions". Newlin has been cited as reestablishing a concurrent multimodal session in response to accessing the concurrent modal session status information for the user programs that are configured in different concurrent modalities (column 5, lines 45-67). However, this cited portion merely describes that a user may decide to participate in one or both different network communication sessions. One session may be put on hold and may be done by transmitting an idle or other dummy bits. As a consequence, when another control signal is received the network session may be interchanged with the other communication session. As such, there is a teaching of providing dummy bits or idle an indication so that the system believes it is always in a given session. There is no need to maintain session status information during non-session conditions in Newlin. As such, there is no teaching of a reestablishing of concurrent multimodal sessions in response to accessing concurrent multimodal session status information. If the rejection is maintained, Applicants respectfully request a showing by column and line number of where the alleged user agent programs are configured for different concurrent multimodality communication are taught, and where the session status information is actually described, as it does not appear to be present in Newlin. In fact, Newlin appears to teach away from a system that would employ non-session status information by requiring the use of dummy bits to be sent which in effect fakes the system into believing that valid data is still being sent. In other words, Newlin requires that the session be maintained and not disrupted. Accordingly, the claims are in condition for allowance.

Because Newlin teaches away from Applicants' claimed invention and does not include the limitations as alleged in the office action, its combination with Bellemore is also improper. In any event, Applicants will also address the combination with Bellemore. The Bellemore reference also

does not appear to be directed to any type of concurrent multimodal communication system but to the contrary appears to simply address switching client sessions in a server. Bellemore is directed to a method and system that attempts to allow more users to use a server than there are available connections to a server, and maintain the identity of the user. As such, sessions share ports of a server. The alleged motivation given in the office action is that it would have been obvious to modify Newlin with Bellemore's teachings "because it would have enabled more users to use and share system resources". However, neither Newlin nor Applicants' specification attempts to address the sharing of system resources.

Also, as noted above, there is no motivation to combine these disparate teachings since Newlin teaches to include dummy bits during the session. Bellemore has been cited as disclosing a system and method "capable of maintaining user interactive sessions for enabling the user to reconnect to a previous concurrent session without having to maintain a persistent connection to the network". However the cited portion of Bellemore appears to use the word "inactive sessions" for sessions that are actually active but for which commands being received by the server cannot be immediately accepted at a port since the port is sharing multiple sessions. (See column 6, lines 63-65). As such, the sender of the information still believes it is in a session and continues to send commands, however the server that is managing the session cannot handle all communications at the port and must temporarily allocate those to storage until they can be processed. Accordingly, there is no teaching or suggestion in Bellemore of, among other things maintaining, during non-session conditions on a per user basis, concurrent multimodal session status information of user agent programs configured for different concurrent modality communication. As such, the claim is in condition for allowance.

For argument sake, even if Bellemore's actual teachings were properly combinable with those of Newlin, the resulting system would still appear to be a single mode system that carried

multimedia sessions from different networks wherein those sessions are not inactive but wherein the sender of the information continues to send either dummy data or commands whose commands are received on a new port. Then the new session information can be used to process the command according to the new session information as taught by Bellemore. Moreover, neither reference appears to be directed to concurrent multimodal communication as claimed and described in Applicants' specification.

As to claims 2 and 8, Applicants respectfully reassert the relevant arguments made above with respect to claim 1 and accordingly, these claims are also in condition for allowance. In addition, Bellemore has cited column 2, lines 34-38 as teaching maintaining concurrent multimodal session status information which includes storing location data indicating where the last fetched information was obtained for each of the plurality of user agent programs that have been configured for different concurrent modality communications during a concurrent multimodal communication session. As noted above, there is no teaching or suggestion of any maintenance of concurrent multimodal session status information for user agent programs described in Bellemore. Accordingly, the claims are in condition for allowance.

As to claim 6, Newlin has cited column 6, lines 13-65 as allegedly teaching receiving multimode mute data and storing a record of which modalities for a multimodal communication are to be muted for a given session. As such, the claim requires that there are different modalities that can be controlled, and hence, muted that are associated with a plurality of user agent programs. The cited portion appears to describe the conditions where an incoming call may come in and distinctive alerting may be used. A microprocessor may record a ringing pattern associated with each type of call and a tone detection algorithm may be run to search for the presence of a characteristic carrier for a modem signal. This is all used apparently to detect a second incoming call. Applicants are

unable to find a description of storing a record of which modalities for a multimodal communication are to be muted for a given session. Accordingly, this claim is also in condition for allowance.

As to claim 5, it does not appear that the office action addresses where the references teach the temporary storage during a session of modality specific instructions for the plurality of different user agent programs to compensate for communication delay associated with the modality specific instructions for a second of a plurality of user agent programs. For example, since the user agent programs facilitate concurrent and different modality communication, the input to the user agent programs or the output coming from the user agent programs should be tracked as concurrent. There is no teaching or suggestion in the cited reference of such a system that links concurrent modality information from a plurality of user agent programs and compensating for delay associated with one of the plurality of user agent programs. Accordingly, this claim is also believed to be in condition for allowance.

Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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